PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Docket No: Q78764
Koji WARIISHI, *et al.*	
Appln. No.: 10/724,232	Group Art Unit: 1772
Confirmation No.: 9769	Examiner: Elizabeth Evans MULVANEY
Filed: December 1, 2003	
For: INFORMATION RECORDING MEDIUM	

RESPONSE UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 4, 2004, please consider the remarks below.

Claims 1-16 are all the claims pending in the application.

The Action mailed May 4, 2004, contains a single rejection. In particular, Claims 1-16 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over Claims 1-3 of U.S. Patent No. 6,670,475.

Applicants are filing herewith a Terminal Disclaimer.

A rejection based on obviousness-type double patenting can be avoided by filing a terminal disclaimer. The filing of a terminal disclaimer to obviate a rejection based on obviousness-type double patenting is not an admission of the propriety of the rejection, and raises neither a presumption nor estoppel on the merits of the rejection. MPEP §804.02.
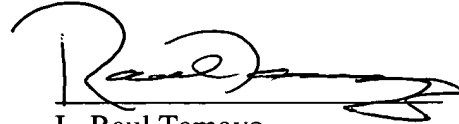
Accordingly, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: July 21, 2004